



#3

## Declaration and Power of Attorney

I, a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled CONFIGURABLE TERMINAL CAPABLE OF COMMUNICATING WITH VARIOUS REMOTE COMPUTERS the specification of which (check one)   X   is attached hereto.   X   was filed on July 10, 1997, as Application Serial No. 08/889,975 and was amended on                      (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37 Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### Prior Foreign Application(s)

NONE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

### Prior United States Application(s)

NONE

I hereby declare that all statements made herein of my own knowledge

are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint: **Michael R. Gilman** (Reg. No. 34,826) and  
**Jeffrey I. Kaplan** (Reg. No. 34,356)

whose address is KAPLAN & GILMAN, 900 Route 9 North, 5th Floor, Woodbridge New Jersey 07095 -- telephone (732) 634-7634-- jointly and severally my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Direct correspondence and telephone calls to: Jeffrey I. Kaplan, Esq.

Full name of first joint inventor:

Inventor's Signature:

Date:

Residence:

Gad Yanay

*[Signature]*

12/9/94

10 Maywood Court  
N. Caldwell  
N.J. 07006

Citizenship:

U.S.A.

Post Office Address:

Same as the above.

Full name of second joint inventor:

Inventor's Signature:

Date:

Residence:

Todd Yampel

*[Signature]*

12/9/94

1336 East 10th Street  
Brooklyn, NY 11230

Citizenship:

U.S.A.

Post Office Address:

Same as the above.



Attorney's Docket No. 30/1

**PATENT**

For: ☒ U.S. and/or ☒ Foreign Rights  
For: ☒ U.S. Application or ☐ U.S. Patent  
For: ☐ PCT Application  
By: Multiple Inventors

### ASSIGNMENT OF INVENTION (MULTIPLE INVENTORS)

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNORS (Inventors):

Gad Janay

(Type or print name of inventor)

Todd Yampel

10 Maywood Court  
N. Caldwell

N.J. 07006

U.S.A.

Address

1336 East 10th St.

Nationality

U.S.A.

Brooklyn, N.Y. 11230

hereby sells, assigns and transfers to

ASSIGNEE:

Advanced Transition Technologies, Inc. 33 Maiden Lane 9th Fl.  
(type or print name of ASSIGNEE) Address

New York, NY 10038

Nationality

and the successors, assigns and legal representatives of the ASSIGNEE

(complete one of the following)

- ☒ the entire right, title and interest  
☐ an undivided \_\_\_\_\_ percent (\_\_\_\_ %) interest

for the United States and its territorial possessions

(check the following box if foreign rights are also to be assigned)

☒ and in all foreign countries, including all rights to claim priority  
in and to any and all improvements which are disclosed in the invention entitled:

CONFIGURABLE TERMINAL CAPABLE OF COMMUNICATING WITH VARIOUS REMOTE COMPUTERS

(check and complete (a), (b), (c) or (d))

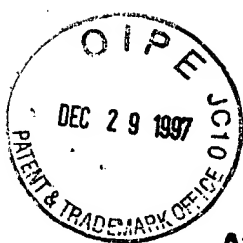
and which is found in

- (a) ☐ U.S. patent application executed on even date herewith  
(b) ☐ U.S. patent application executed on \_\_\_\_\_  
☐ To comply with 37 CFR 3.21 for recordal of this assignment, I, an ASSIGNOR signing below, hereby authorize and request my attorney, as named in the Declaration and Power of Attorney I executed for this invention on the execution date stated above, to insert below the filing date and application number when it becomes known.  
(c) ☒ U.S. application serial no. 08/889,975 filed on 7/10/97  
(d) ☐ International application no. PCT/\_\_\_\_\_  
(e) ☐ U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_  
☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.

(check (e) if foreign application(s) is also being assigned)

- (f) ☒ and any legal equivalent thereof in a foreign country, including the right to claim priority





Attorney's Docket No. 30/1

**PATENT**

**NOTARIZATION OR LEGALIZATION ACCOMPANYING ASSIGNMENT**

NOTE: Executing this page is not required for assignment and is only prima facie evidence of execution. 35 USC 261.

Details of Country U.S.A.  
and place of signing of assignment \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Before me this 9th day of December 1997 personally appeared the above named individual(s), to me known to be the person(s) who ☒ is ☐ are described in and who executed the foregoing assignment instrument and acknowledged to me that

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> he | <input checked="" type="checkbox"/> his (Gad Janay) |
| <input type="checkbox"/> she           | <input type="checkbox"/> her                        |
| <input type="checkbox"/> they          | <input type="checkbox"/> their                      |
- executed the same of

own free will for the purpose therein expressed.

Edith Yampel  
Notary Public or Consular Officer of the United  
States of America

**EDITH YAMPEL**  
Notary Public State of New York  
No. 01YA5058801  
Qualified in Kings County  
Commission Expires 04/15/1998

(Notarization or Legalization Accompanying Assignment [16-4])

Attorney's Docket No. 30/1

**PATENT**

**NOTARIZATION OR LEGALIZATION ACCOMPANYING ASSIGNMENT**

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Details of Country U.S.A.  
and place of signing of assignment \_\_\_\_\_  
\_\_\_\_\_

Before me this 9th day of December 19\_\_\_\_ personally appeared  
the above named individual(s), to me known to be the person(s) who ☒ is ☐ are described  
in and who executed the foregoing assignment instrument and acknowledged to me that

☒ he

☒ his (Todd Yampel)

☐ she

executed the same of

☐ her

☐ they

☐ their

own free will for the purpose therein expressed.

Edith Yampel  
Notary Public or Consular Officer of the United  
States of America 12/9/97

**EDITH YAMPEL**  
Notary Public State of New York  
No. 01YA5058801  
Qualified in Kings County  
Commission Expires 04/15/1998

(Notarization or Legalization Accompanying Assignment (16-4))

Applicant or Patentee: Gad Janay and Todd Yampel Attorney's Docket #3  
Serial or Patent No.: 08/889,975 No. 30/1  
Filed or Issued: July 10, 1997  
Title: CONFIGURABLE TERMINAL CAPABLE OF COMMUNICATING WITH VARIOUS REMOTE COMPUTERS

DEC 20 1997  
I hereby declare that I am  
[ ] the owner of the small business concern identified below:  
[x] an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Advanced Transition Technologies, Inc.  
ADDRESS OF CONCERN 33 MAIDEN LANE 9TH FL.  
NEW YORK NY 10038

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled: CONFIGURABLE TERMINAL CAPABLE OF COMMUNICATING WITH VARIOUS REMOTE COMPUTER by inventor(s) Gad Janay and Todd Yampel described in

[ ] the specification filed herewith  
[x] application Serial No. 08/889,975, filed 7/10/97  
[ ] Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
[ ] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
[ ] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
[ ] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Gad Janay  
TITLE OF PERSON OTHER THAN OWNER Chairman and CEO  
ADDRESS OF PERSON SIGNING is Mywood Court  
N. Caldwell, N.J. 07006  
SIGNATURE Gad Janay DATE 12/19/97